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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 GARY ERVIN,

11 Plaintiff,

CIV-S-05-0269 LKK GGH PS

12 vs.

13 JUDICIAL COUNCIL OF
14 CALIFORNIA, et al.,

15 Defendants.

ORDER

16 _____/
17 On June 26, 2006, the magistrate judge filed findings and recommendations
18 herein which were served on the parties and which contained notice that any objections to the
19 findings and recommendations were to be filed within ten days. Plaintiff filed objections on July
20 14, 2006, and July 17, 2006, and they were considered by the district judge.

21 This court reviews de novo those portions of the proposed findings of fact to
22 which objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v.
23 Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920
24 (1982). As to any portion of the proposed findings of fact to which no objection has been made,
25 the court assumes its correctness and decides the motions on the applicable law. See Orand v.
26 United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are

1 reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir.
2 1983).

3 The court has reviewed the applicable legal standards and, good cause appearing,
4 concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.

5 Accordingly, IT IS ORDERED that:


6 1. The Proposed Findings and Recommendations filed June 26, 2006, are
7 ADOPTED;

8 2. The motion to dismiss by defendants Virga, Cecil, McMaster, and Castellanos,
9 filed April 20, 2006, is dismissed as moot (dismissal already ordered);

10 3. Defendants Judicial Counsel and Superior Court of California, County of
11 Sacramento, is dismissed with prejudice; and

12 4. This action is terminated.

13 DATED: September 11, 2006.

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16 LAWRENCE K. KARLTON
17 SENIOR JUDGE
18 UNITED STATES DISTRICT COURT
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